



## Former Permanent Teacher Was Properly Rehired as a Substitute Teacher Following a Break in Service

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### *Burke Education Law Alert*

In a case that underscores the importance of school districts correctly designating an employee's classification, the California Court of Appeal recently ruled that a former permanent teacher was properly rehired as a substitute teacher after a break in service, and that she was not entitled to back pay as a permanent employee for the year in which she taught as a substitute teacher. The Court emphasized provisions of the Education Code that distinguish between a "temporary teacher" versus a "substitute teacher," as well as the rules regarding rehiring a former permanent employee.

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